

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

CEDRIC J. MARBURY

Petitioner,

-vs-

Case No. C-3-05-CV-270
JUDGE THOMAS M. ROSE

STUART HUDSON, Warden,

CHIEF MAGISTRATE JUDGE MICHAEL MERZ

Respondent,

**ENTRY AND ORDER OVERRULING PETITIONER'S OBJECTIONS (DOC. # 24) AND
ADOPTING THE CHIEF MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS (DOC. # 9) DISMISSING WITH PREJUDICE PETITIONER'S
PETITION FOR HABEAS CORPUS (DOC. # 1) AND TERMINATION ENTRY.**

This matter comes before the Court pursuant to the Petitioner's Objections (Doc. #24), filed November 3, 2008, to the Chief Magistrate Judge's Report and Recommendations (Doc. # 9) filed May 21, 2008. The Court, previously on September 15, 2008, reviewed this same Report and Recommendations, no timely objections having been filed by June 10, 2008. At that time the Court adopted said Report and Recommendations. Subsequently, Petitioner filed these Objections beyond the applicable timeline. Although this Court could have disallowed these Objections on timeliness this Court has conducted a de novo review of all filings in this matter and finds the Objections (Doc. # 24) not to be well-founded and OVERRULES same, ADOPTING the Chief Magistrate Judge's Report and Recommendations (Doc. # 9) DISMISSING Petitioner's Petition (Doc. #1) for Writ of Habeas Corpus with prejudice.

This matter is hereby ORDERED terminated upon the docket records of the United States

District Court, Southern Division at Dayton, Ohio.

November 14, 2008

s/THOMAS M. ROSE

JUDGE THOMAS M. ROSE
United States District Court